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On 10/14/99

TOWNSEND and TOWNSEND and CREW LLP

By: 

**AMENDMENT UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE -  
EXAMINING GROUP**

**PATENT**

Attorney Docket No.: 2307O-067210US  
Client Reference No.: 96-170-2

#15-11e  
KJ  
10-28-99

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Jofuku et al.

Application No.: 08/879,827

Filed: June 20, 1997

For: METHODS FOR IMPROVING  
SEEDS

AMENDMENT UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE EXAMINING  
GROUP

Examiner: M. Mosher

Art Unit: 1643

**Box AF**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Final Office Action mailed April 14, 1999, please consider the following remarks.

**REMARKS**

Claims 1-37, 40, 41, and 45-109 are pending in the present application.

Applicants note with appreciation that the Examiner has indicated that claims 5, 15, 26, 36, 41, and 46-109 are allowable. The Examiner has rejected claims 1, 24, 35, 40, and 45, under 35 U.S.C. § 112, first paragraph, for allegedly containing new matter. In addition, the Examiner, rejects claims 1-4, 6-14, 16-25, 27-35, 37, 40, and 45 under 35 U.S.C. § 112, first and second